

1 ADAM GORDON
United States Attorney
2 ANTONIO ESTRADA
Special Assistant U.S. Attorney
3 California Bar No. 321247
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-8664
Facsimile: (619) 546-7751
6 Email: antonio.estrada@usdoj.gov

7 Attorneys for Respondents

8
9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 ANDREI BIKMASOV,

12
13 Petitioner,

14 v.

15 WARDEN, OTAY MESA DETENTION
CENTER.,

16
17 Respondents.

Case No.: 26-cv-02517-JLS-DEB

RESPONSE TO PETITION

18
19
20
21 Respondents, by and through counsel, hereby respond to the Petition for Writ of
22 Habeas Corpus. Petitioner is subject to a final order of removal and detained under 8
23 U.S.C. § 1231(a). Undersigned counsel is unable to ascertain sufficient facts at this time
24 to establish that there is a significant likelihood of removal in the reasonably foreseeable
25 future. *See Zadvydas v. Davis*, 533 U.S. 678 (2001). The government therefore
26 acknowledge that Petitioner is entitled to be released from custody subject to conditions
27 of supervision. *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-
28 cv-2871-CAB-BJW, 2026 WL 218936, at *1 (S.D. Cal. Jan. 27, 2026) (“The habeas

1 statute does not empower courts to manage ICE supervision programs.”) (citing 28 U.S.C.
2 § 2241(c)(3)); *Khachikian v. Casey*, No. 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal.
3 Jan. 13, 2026) (“Ultimately, ICE has discretion to impose conditions on release.”).

4 DATED: June 11, 2026

ADAM GORDON
United States Attorney

6 *s/ Antonio Estrada*
7 ANTONIO ESTRADA
Special Assistant United States Attorney